

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY**

IN RE:

Farina, Louis

Debtor(s)

Case No. 2:13-bk-18864

Judge _____

Chapter 13

AMENDED CHAPTER 13 PLAN AND MOTIONS

☐ Original

☒ Modified/Notice Required

☐ Discharge Sought

☐ Motions Included

☐ Modified/No Notice Required

☒ No Discharge Sought

Date: May 31, 2017

THE DEBTOR HAS FILED FOR RELIEF UNDER CHAPTER 13
OF THE BANKRUPTCY CODE.

YOUR RIGHTS WILL BE AFFECTED.

You should have received from the court a separate Notice of the Hearing on Confirmation of Plan, which contains the date of the confirmation hearing on the Plan proposed by the Debtor. This document is the actual Plan proposed by the Debtor to adjust debts. You should read these papers carefully and discuss them with your attorney. Anyone who wishes to oppose any provision of this Plan or any motion included in it must file a written objection within the time frame stated in the Notice. **This Plan may be confirmed and become binding, and included motions may be granted without further notice or hearing, unless written objection is filed before the deadline stated in the Notice.**

**YOU SHOULD FILE A PROOF OF CLAIM BY THE DEADLINE STATED
IN THE NOTICE TO RECEIVE DISTRIBUTIONS UNDER ANY PLAN
THAT MAY BE CONFIRMED, EVEN IF THE PLAN REFERS TO YOUR CLAIM**

Part 1: Payment and Length of Plan

- a. The Debtor shall pay \$ 1354 per month to the Chapter 13 Trustee, starting on October 1, 2017 for approximately 9 months.
- b. The Debtor shall make plan payments to the Trustee from the following sources:
☒ Future Earnings
☐ Other sources of funding (describe source, amount and date when funds are available):
- c. Use of real property to satisfy plan obligations:
☐ Sale of real property
Description:
Proposed date for completion: _____
☐ Refinance of real property
Description:
Proposed date for completion: _____
☐ Loan modification with respect to mortgage encumbering property
Description:
Proposed date for completion: _____
- d. ☐ The regular monthly mortgage payment will continue pending the sale, refinance or loan modification.
- e. ☐ Other information that may be important relating to the payment and length of plan:

Part 2: Adequate Protection

- a. Adequate protection payments will be made in the amount of \$ **None** to be paid to the Chapter 13 Trustee and disbursed pre-confirmation to _____ (creditor).
- b. Adequate protection payments will be made in the amount of \$ _____ to be paid directly by the debtor(s) outside of the Plan, pre-confirmation to _____ (creditor).

Part 3: Priority Claims (Including Administrative Expenses)

All allowed priority claims will be paid in full unless the creditor agrees otherwise:

Creditor	Type of Priority	Amount to be Paid
NJ Division Of Taxation	Taxes	508.75
Wells Fargo	Administrative	400.00

Part 4: Secured Claims

a. Curing Default and Maintaining Payments

The Debtor shall pay to the Trustee (as part of the Plan) allowed claims for arrearages on monthly obligations and the Debtor shall pay directly to the creditor (outside the Plan) monthly obligations due after the bankruptcy filing as follows:

Creditor	Collateral or Type of Debt	Arrearage	Interest Rate on Arrearage	Amount to be Paid to Creditor (In Plan)	Regular Monthly Payment (Outside Plan)
Specialized Loan Servicing, LLC	House - 14 Old Nwk Pompton Twp, Wayne, NJ 07474	7,055.00	0.00%	7,055.00	1715.83
Wells Fargo Bank Nv Na	House - 118 Harvest Lane, Lincoln Park, NJ 07035	612.45	0.00%	612.45	1381.70
US Bank National Assoc.	124 Lincoln Ave. Seaside Heights, NJ	3260.98	0.00%	3260.98	938.55
Specialized Loan Servicing, LLC	14 Old Nwk Pompton, Wayne, NJ	5310.00 - (post-petition)	0.00%	5310.00	

b. Modification

1.) The Debtor values collateral as indicated below. If the claim may be modified under Section 1322(b)(2), the secured creditor shall be paid the amount listed as the "Value of the Creditor Interest in Collateral," plus interest as stated. The portion of any allowed claim that exceeds that value shall be treated as an unsecured claim. If a secured claim is identified as having "NO VALUE" it shall be treated as an unsecured claim.

NOTE: A modification under this section ALSO REQUIRES the appropriate motion to be filed under Section 7 of the Plan.

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Superior Liens	Value of Creditor Interest in Collateral	Annual Interest Rate	Total Amount to be Paid
Hilltop Farm Condominium Association	House - 118 Harvest Lane, Lincoln Park, NJ 07035	13,289.73	238,000.00	228,592.72	9,407.28	0.00%	13,289.73

2.) Where the Debtor retains collateral and completes the Plan, payment of the full amount of the allowed secured claim shall discharge the corresponding lien.

c. Surrender

Upon confirmation, the stay is terminated as to surrendered collateral. The Debtor surrenders the following collateral:

Creditor	Collateral to be Surrendered	Value of Surrendered Collateral	Remaining Unsecured Debt
None			

d. Secured Claims Unaffected by the Plan

The following secured claims are unaffected by the Plan:

Specialized Loan Servicing, LLC
US Bank Home Mortgage
Wells Fargo Home Mortgage

e. Secured Claims to Be Paid in Full Through the Plan

Creditor	Collateral	Total Amount to be Paid through the Plan
Hilltop Farm Condominium Association	House - 118 Harvest Lane, Lincoln Park, NJ 07035	13,289.73

a. Not separately classified Allowed non-priority unsecured claims shall be paid:

Not less than \$ _____ to be distributed pro rata
Not less than _____ percent
☒ Pro rata distribution from any remaining funds

b. Separately Classified Unsecured Claims shall be treated as follows:

Creditor	Basis for Separate Classification	Treatment	Amount to be Paid
None			

Part 6: Executory Contracts and Unexpired Leases

All executory contracts and unexpired leases are rejected, except the following, which are assumed:

Creditor	Nature of Contract or Lease	Treatment by Debtor
None		

Part 7: Motions

NOTE: All plans containing motions must be served on all potentially affected creditors, together with a Chapter 13 Plan Transmittal Letter, within the time and in the manner set forth in D.N.J. LBR 3015-1. A Proof of Service must be filed with the Clerk of Court when the Plan and Transmittal Letter are served.

Where a motion to avoid liens or partially avoid liens has been filed in the plan, a proof of claim filed that asserts a secured claim that is greater than the amount to be paid in the plan serves as opposition

to the motion, and serves as an objection to confirmation. The proof of claim shall be served in accordance with D.N.J. LBR 3015-6(a). The creditor shall file a proof of service prior to the scheduled confirmation hearing. In order to prosecute the objection, the creditor must appear at the confirmation hearing, which shall be the hearing on the motion. Failure to appear to prosecute the objection may result in the motion being granted and the plan being confirmed pursuant to the terms as set forth in the plan.

a. Motion to Avoid Liens under 11 U.S.C. Section 522(f).

The Debtor moves to avoid the following liens that impair exemptions:

Creditor	Nature of Collateral	Type of Lien	Amount of Lien	Value of Collateral	Amount of Claimed Exemption	Sum of All Other Liens Against the Property	Amount of Lien to be Avoided
None							

b. Motion to Void Liens and Reclassify Claim from Secured to Completely Unsecured.

The Debtor moves to reclassify the following claims as unsecured and to void liens on collateral consistent with Part 4 above:

Creditor	Collateral	Amount of Lien to be Reclassified
None		

c. Motion to Partially Void Liens and Reclassify Underlying Claims as Partially Secured and Partially Unsecured.

The Debtor moves to reclassify the following claims as partially secured and partially unsecured, and to void liens on collateral consistent with Part 4 above:

Creditor	Collateral	Amount to be Deemed Secured	Amount to be Reclassified as Unsecured
None			

Part 8: Other Plan Provisions

a. Vesting of Property of the Estate

☒ Upon Confirmation
☐ Upon Discharge

b. Payment Notices

Creditors and Lessors provided for in Sections 4, 6 or 7 may continue to mail customary notices or coupons to the Debtor notwithstanding the automatic stay.

c. Order of Distribution

The Trustee shall pay allowed claims in the following order:

- 1) Trustee Commissions
- 2) Other Administrative Claims

- 3) Secured Claims
- 4) Lease Arrearages
- 5) Priority Claims
- 6) General Unsecured Claims

d. Post-petition claims The Trustee [] is, [X] is not authorized to pay post-petition claims filed pursuant to 11 U.S.C. Section 1305(a) in the amount filed by the post-petition claimant.

Part 9: Modification

If this plan modifies a plan previously filed in this case, complete the information below.

Date of Plan being modified: 11/1/13

Explain below why the Plan is being modified.	Explain below how the Plan is being modified.
	Plan has been modified to include old pre-petition arrears and post-petition arrears; Trustee will apply "parked" funds against US Bank arrears and August and September payments are being held in firms' Trust Account to be applied.
To address arrears that are being paid inside plan to US Bank National Assoc, Wells Fargo for an old Administrative Claim and SLS for post-petition arrears.	

Are Schedules I and J being filed simultaneously with this modified Plan? [] Yes [X] No

Part 10: Sign Here

The debtor(s) and the attorney for the debtor (if any) must sign this Plan.

Date:

9/9/17

Attorney for the Debtor

I certify under penalty of perjury that the foregoing is true and correct.

Date:

9/9/17

/s/ Louis Farina
Debtor

Joint Debtor

Imaged Certificate of Notice Page 6 of 7

United States Bankruptcy Court
District of New JerseyIn re:
Louis Farina
DebtorCase No. 13-18864-MBK
Chapter 13**CERTIFICATE OF NOTICE**

District/off: 0312-3

User: admin
Form ID: pdf901Page 1 of 2
Total Noticed: 40

Date Rcvd: Sep 11, 2017

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Sep 13, 2017.

db +Louis Farina, PO Box 4361, Wayne, NJ 07474-4361
 aty +MATTHEW C. JOHNSTON, 19 PARK PLACE, FLANDERS, NJ 07836-9097
 cr +America's Servicing Company, as servicer Bank of A, Phelan Hallinan & Schmieg, PC,
 400 Fellowship Road, Suite 100, Mt. Laurel, NJ 08054-3437
 cr +PennyMac Holdings, LLC, Stern & Eisenberg, PC, 1040 North Kings Highway, Suite 407,
 Cherry Hill, NJ 08034, UNITED STATES 08034-1925
 cr Specialized Loan Servicing LLC, PO Box 829009, Dallas, TX 75382-9009
 cr +Specialized Loan Servicing LLC, as servicing agent, c/o Buckley Madole, P.C.,
 P.O. Box 22408, Tampa, FL 33622-2408
 513879211 #+Acb Receivables Mngmt, 19 Main St, Asbury Park, NJ 07712-7012
 513879210 #+Acb Receivables Mngmt, PO Box 350, Asbury Park, NJ 07712-0350
 515090582 +BANK OF AMERICA, NATIONAL ASSOCIATION, Americas Servicing Company,
 Attention: Bankruptcy Department, MAC#D3347-014, 3476 Stateview Boulevard,
 Fort Mill, SC 29715-7203
 513879212 ++CAPITAL ONE, PO BOX 30285, SALT LAKE CITY UT 84130-0285
 (address filed with court: Cap One, PO Box 85520, Richmond, VA 23285)
 514148725 +CAPITAL ONE BANK (USA), N.A., PO Box 12907, Norfolk, VA 23541-0907
 513879213 +Cap One, 26525 N Riverwoods Blvd, Mettawa, IL 60045-3440
 513879214 +Capital One, Attn: Bankruptcy, PO Box 30285, Salt Lake City, UT 84130-0285
 513879215 +Chilton Hospital, 97 West Parkway, Pompton Plains, NJ 07444-1696
 513879218 +First Premier Bank, 3820 N Louise Ave, Sioux Falls, SD 57107-0145
 513879219 +Hilltop Farm Condominium Association, C/O Crew Schielke, Esq., 39 Park Place - Suite 204,
 Englewood, NJ 07631-2918
 513946499 +Hilltop Farm Condominium Association, Inc., c/o Wilkin Management Group, 45 Whitney Road,
 Mahwah, New Jersey 07430-3160
 514038975 JPMorgan Chase Bank, N.A., National Bankruptcy Dept, P O Box 901032,
 Ft Worth TX 76101-2032
 513879220 +Jamie Kuchuk, 2611 SW 28th Terrace, Cape Coral, FL 33914-4702
 513879221 Nco Fin/55, PO Box 13570, Philadelphia, PA 19101
 515498824 +PennyMac Loan Services, LLC, c/o Aldridge Connors LLP,
 Bankruptcy Dpt., Fifteen Piedmont Center, 3575 Piedmont Road, N.E., Suite 500,
 Atlanta, GA 30305-1636
 514160512 ++STATE OF NEW JERSEY, DIVISION OF TAXATION BANKRUPTCY UNIT, PO BOX 245,
 TRENTON NJ 08646-0245
 (address filed with court: NJ Division of Taxation, Attn: Bankruptcy Section, P.O. Box 245,
 Trenton, NJ 08695)
 514091207 +Specialized Loan Servicing, LLC, Attention Bankruptcy Department,
 8742 Lucent Blvd, Suite 300, Highlands Ranch, Colorado 80129-2386
 513879222 +Specialized Loan Servicing, LLC, P.O. Box 636005, Littleton, CO 80163-6005
 513879223 +The Law Offices Of Angelo R. Bianchi, 4 York Ave, 2nd Floor, West Caldwell, NJ 07006-6407
 514552126 +U.S. Bank National Association, c/o Zucker Goldberg & Ackerman,
 200 Sheffied Street, Suite 301, Mountainside, NJ 07092-2315
 516127884 ++US BANK, PO BOX 5229, CINCINNATI OH 45201-5229
 (address filed with court: U.S. Bank National Association, c/o U.S. Bank Home Mortgage,
 A Division of U.S. Bank NA, 4801 Frederica Street, Owensboro, Kentucky 42301)
 513879224 +US Bank Home Mortgage, 4801 Frederica Street, Owensboro, KY 42301-7441
 513879225 +Verizon Wirelss, 2000 Corporate Dr, Orangeburg, NY 10962-2624
 513879226 +Vzw Ne, Attention: Verizon Wireless Department, PO Box 3397, Bloomington, IL 61702-3397
 514041817 +Wells Fargo Bank, N.A., AKA Wachovia Mortgage, a division of Wells Fargo,
 Attn: Bankruptcy Department, MAC# T7416-023, 4101 Wiseman Boulevard,
 San Antonio, TX 78251-4200
 513879227 +Wells Fargo Home Mortgage, P.O. Box 10335, Des Moines, IA 50306-0335

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
smg E-mail/Text: usanj.njbankr@usdoj.gov Sep 12 2017 00:28:25 U.S. Attorney, 970 Broad St.,
Room 502, Rodino Federal Bldg., Newark, NJ 07102-2534smg +E-mail/Text: ustpregion03.ne.ecf@usdoj.gov Sep 12 2017 00:28:22 United States Trustee,
Office of the United States Trustee, 1085 Raymond Blvd., One Newark Center, Suite 2100,
Newark, NJ 07102-5235513879217 +E-mail/PDF: creditonebknofications@resurgent.com Sep 12 2017 00:36:36 Credit One Bank,
PO Box 98873, Las Vegas, NV 89193-8873513879216 +E-mail/PDF: creditonebknofications@resurgent.com Sep 12 2017 00:36:22 Credit One Bank,
PO Box 98875, Las Vegas, NV 89193-8875514147549 E-mail/PDF: resurgentbknofications@resurgent.com Sep 12 2017 00:36:22
LVNV Funding, LLC its successors and assigns as, assignee of FNBM, LLC,
Resurgent Capital Services, PO Box 10587, Greenville, SC 29603-0587

514872062 E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Sep 12 2017 00:36:51

514872063 E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Sep 12 2017 00:50:55

Portfolio Recovery Associates, LLC, POB 41067, Norfolk, VA 23541
Portfolio Recovery Associates, LLC, POB 41067, Norfolk, VA 23541
Portfolio Recovery Associates, LLC, POB 41067, Norfolk, VA 23541514032586 +E-mail/Text: csidl@sbcglobal.net Sep 12 2017 00:28:43 Premier BankCard/Charter,
Post Office Box 2208, Vacaville, CA 95696-8208

TOTAL: 8

District/off: 0312-3

User: admin
Form ID: pdf901

Page 2 of 2
Total Noticed: 40

Date Rcvd: Sep 11, 2017

***** BYPASSED RECIPIENTS (continued) *****

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****

cr
514221306* U.S. Bank National Association
++STATE OF NEW JERSEY, DIVISION OF TAXATION BANKRUPTCY UNIT, PO BOX 245,
TRENTON NJ 08646-0245
(address filed with court: State of New Jersey, Department of Treasury,
Division of Taxation, PO Box 245, Trenton, NJ 08695-0245)
516784213* ++US BANK, PO BOX 5229, CINCINNATI OH 45201-5229
(address filed with court: U.S. Bank National Association, C/O U.S. Bank Home Mortgage,
a division of U.S. Bank NA, 4801 Frederica Street, Owensboro, Kentucky 42301)
TOTALS: 1, * 2, ## 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '++' were redirected to the recipient's preferred mailing address
pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

Addresses marked '#' were identified by the USPS National Change of Address system as requiring an update.
While the notice was still deliverable, the notice recipient was advised to update its address with the court
immediately.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Sep 13, 2017

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on September 9, 2017 at the address(es) listed below:

A. Crew Schielke on behalf of Creditor Hilltop Farm Condominium Association, Inc.
crew@crewschielke.com
Albert Russo on behalf of Trustee Albert Russo docs@russotrustee.com
Albert Russo docs@russotrustee.com
Albert Russo (NA) on behalf of Trustee Albert Russo docs@russotrustee.com
Andrew L. Spivack on behalf of Creditor America's Servicing Company, as servicer Bank of
America, N.A. nj.bkecf@fedphe.com
Denise E. Carlon on behalf of Creditor U.S. Bank National Association, as Trustee relating to
Chevy Chase Funding LLC Mortgage Backed Certificates Series 2007-1 dcarlon@kmlawgroup.com,
bkgroup@kmlawgroup.com
Denise E. Carlon on behalf of Creditor Specialized Loan Servicing LLC, as servicing agent for
U.S. Bank National Association, as Trustee relating to Chevy Chase Funding LLC Mortgage Backed
Certificates Series 2007-1 dcarlon@kmlawgroup.com, bkgroup@kmlawgroup.com
Denise E. Carlon on behalf of Creditor U.S. Bank National Association
bankruptcynotice@zuckergoldberg.com, bkgroup@kmlawgroup.com
Gavin N. Stewart on behalf of Creditor Specialized Loan Servicing LLC, as servicing agent for
U.S. Bank National Association, as Trustee relating to Chevy Chase Funding LLC Mortgage Backed
Certificates Series 2007-1 BKNJ@buckleymadole.com
Melissa N. Licker on behalf of Creditor Specialized Loan Servicing LLC
NJ_ECF_Notices@buckleymadole.com
Melissa N. Licker on behalf of Creditor U.S. Bank National Association
NJ_ECF_Notices@buckleymadole.com
Steven K. Eisenberg on behalf of Creditor Specialized Loan Servicing LLC
bkecf@sterneisenberg.com,
jmcnally@sterneisenberg.com;skelly@sterneisenberg.com;bkecf@sterneisenberg.com
Steven K. Eisenberg on behalf of Creditor PennyMac Holdings, LLC bkecf@sterneisenberg.com,
jmcnally@sterneisenberg.com;skelly@sterneisenberg.com;bkecf@sterneisenberg.com
William M. E. Powers, III on behalf of Creditor Wells Fargo Bank, N.A. ecf@powerskirn.com
William M.E. Powers on behalf of Creditor Wells Fargo Bank, N.A. ecf@powerskirn.com
William M.E. Powers, III on behalf of Creditor Wells Fargo Bank, N.A. ecf@powerskirn.com
TOTAL: 16